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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,256	11/17/1999	TESFAYE ZERIHUN YIGZAW	38179/190315	5583

7590 10/06/2003

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EXAMINER

LILLING, HERBERT J

ART UNIT	PAPER NUMBER
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1651

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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Commissioner for Patents

Claim(s) 22(method for preparing compositions [4 (polar), 5(withdrawn), 6 (hexane) , 8(plant material), 9(two or more extracts), 24 (method separating), 25 (method separating by multiple centrifugations), 29(multiple extracts), 32 (repeating extraction), 36 (obtaining dried pellet suspended in an aqueous solution) , 38 (combining liquid extract with a pharmaceutical carrier) claim 39 (obtaining dried pellet suspended in an aqueous solution), 40 (method suitable for administration), Claims 54 [(method for preparing a composition comprising one or more extracts, 55 (method of claim 54 further comprising repeating extraction), 56 (method further mixing one or more with pharmaceutical carrier) , 57 (plant comprises Hagenia abyssinica or Millettia ferruginea or both); Claims 58(A method for preparing a composition from one or more with solvent or mixture and further contacting crude material), [claim 59 (pH is adjusted by adding a basic compound), 60 (basic compound is sodium hydroxide), 61 (pH is between 9 to about 13), 62 (claim 58 composition is adjusted pH with an acidic compound), 63 (pH is adjusted with HCl), 64 (pH is adjusted to a pH from about 1 to about 5, 65 (pH is further adjusted, 66 (method of claim 58 further adjusting pH), 67 (repeating extraction) ; 68 (plant material from Hagneia abyssinica or Millettia ferruginea or both), Claim(s) 69 (A method for preparing a composition containing two or more extracts) [70 method of further comprising combining extracts of claim 69].

The reply filed on August 16, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The statement "Applicant respectfully submits that the amendments to these claims make them readable on the elected invention..." is not persuasive, see the attachment whereby Applicant has elected specific species-December 08, 2001 attached. Applicant is required to clearly indicate the claims which Applicant can show that the claims are within the scope of the elected species. Applicant has not submitted any claims drawn to the indicated allowable subject matter absent non-elected species.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Applicant may contact this Examiner to assist in allowing claims drawn to the elected inventions and cancelling all non-elected subject matter which Applicant can file Continuation(s) or CIP for the non-elected subject matter.

SERIAL NO 09/442,256

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lilling whose telephone number is (703) 308-2034 and Fax Number is for applications Before Final (703) 872-9306 and After Final for applications is 703-872-9307 or SPE Michael Wityshyn whose telephone number is (703) 308-4743. Examiner can be reached Monday-Thursday from about 5:30 A.M. to about 3:00 P.M. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

H.J.Lilling: HJL
(703) 308-2034
Art Unit 1651
October 05, 2003

ATTACHMENT ELECTION OF DECEMBER 08, 2001


HERBERT J. LILLING
Primary Examiner
Art Unit: 1651

SER NO 09/442,256